

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F042046 Lisa B., v. Kern Co. Dept. of Human Services

Pursuant to the terms of this court's order of January 9, 2003, and the failure of any party to request oral argument, the oral argument date of February 6, 2003, is vacated.

This matter is deemed submitted on the date of this order.

F041984 Betty W., v. Fresno Co. Dept. of Children & Family Services

Pursuant to the terms of this court's order of January 9, 2003, and the failure of any party to request oral argument, the oral argument date of February 6, 2003, is vacated.

This matter is deemed submitted on the date of this order.

F038259 People v. Gary

The judgment is affirmed. Cornell, J.

We concur: Harris, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038589 People v. Perano

The judgment is affirmed. Dibiaso, P.J.

We concur: Wiseman, J.; Gomes, J.

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F038079 Solpac, Inc. v. City of Fresno et al.; Mauldin-Dorfmeier Contruction, Inc.

The trial court's order from which this appeal was taken is amended nunc pro tunc to include a decision adverse to Solpac on its second cause of action for damages, and to state that Solpac's action is dismissed in its entirety. Solpac's notice of appeal is deemed to be a premature but valid notice of appeal from this amended nunc pro tunc judgment. (Cal. Rules of Court, rule 2(d)(2).) The amended nunc pro tunc judgment is reversed. On remand, the trial court is directed to (1) enter a new order dismissing Solpac's first cause of action for mandamus and (2) conduct such further proceedings on Solpac's second cause of action for damages as may be appropriate and not inconsistent with this opinion. Solpac is awarded its appellate costs against both City (Code Civ. Proc., section 1029) and MDC, jointly and severally. Dibiaso, J.

We concur: Ardaiz, P.J. ; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040166 People v. Aguilar

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040166 People v. Aguilar

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038026 Noroian v. Cane et al

IN THE

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IN AND FOR THE

Fifth Appellate District

The judgment is affirmed. Respondents are awarded their costs on appeal.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041676 Lauro R. v. The Superior Court of Stanislaus Co.; Stanislaus Co. Community Services Agency

The petition for extraordinary writ is denied. The opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040625 Lewis C. Nelson & Sons, Inc. v. McCormick, Barstow, Sheppard, Wayte & Carruth et al

Appellants having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.